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VIA ECF

The Honorable Naomi Reice Buchwald
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: *Treasure Chest Themed Value Mail, Inc. v. David Morris Intl., Inc.*
1:17-cv-00001-NRB (S.D.N.Y.)**

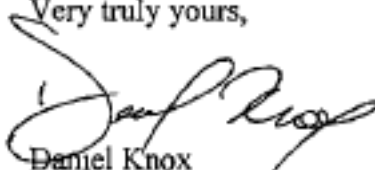
Dear Judge Buchwald:

This firm represents the plaintiff in the above-referenced action ("Plaintiff"). Pursuant to Rule 2B of Your Honor's Individual Practices, Plaintiff respectfully requests leave to file a motion for summary judgment against defendant David Morris International, Inc. ("DMI").

The facts material to Plaintiff's motion are not in dispute. The parties entered into a written Vacation Travel Mailing Participation Agreement (the "Agreement"), whereby Plaintiff agreed to disseminate Defendant's promotional materials in exchange for cash and travel benefits valued at \$95,000.00. Notwithstanding Plaintiff's complete performance, Defendant has breached the Agreement by failing to provide payment as agreed.

DMI's contentions in this case are based upon nothing more than its dissatisfaction with the sales results of the advertising campaign, such results being irrelevant to the instant action as they were not guaranteed by the Plaintiff, and which DMI admits it has made no attempt to formally quantify.

Plaintiff is available at the Court's convenience to address any questions Your Honor may have on this or any other case-related topic.

Very truly yours,

Daniel Knox

cc: Brian Lehman, Esq. and Julie Solarz, Esq. (via ECF and e-mail)